

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DASHAWN JOHNSON,

Plaintiff,

v.

Case No. 07-11230
Honorable Denise Page Hood
Magistrate Steven D. Pepe

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION &
GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

Before the Court is Magistrate Judge Steven D. Pepe's Report and Recommendation ("R & R") [Docket # 10], which recommends granting Defendants' Motion for Summary Judgment [Docket # 9] and denying Plaintiff's Motion for Summary Judgment [Docket # 8]. Plaintiff did not file objections to the R & R.

If a party objects to specific portions of the R & R, a district court should "make a de novo determination of those portions." 28 U.S.C. § 636. If an R & R is not objected to, a district court need not review it by any standard. *See* 28 U.S.C. § 636; *see also Lardie v. Birkett*, 221 F. Supp. 2d 806, 807 (E.D. Mich. 2002). A district court "may accept, reject or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(B)(1).

The Court has reviewed the R & R and agrees with its reasoning and conclusions of law. The record demonstrates that substantial evidence supports the determination of the Administrative

Law Judge that Plaintiff's impairments, which resulted from his gunshot wound, did not preclude him Plaintiff from performing a limited range of light work. Although Plaintiff's treating physician, Dr. Abdelmajid Jondy, indicated that Plaintiff's impairments prevented him from "lifting or [doing] strenuous work" without additional surgery, (R. at 138,) she did not indicate that Plaintiff was unable to perform the types of light work identified by the Vocational Expert at the appeal hearing, which required lifting no more than 2 to 5 pounds. (*Id.*)

In light of the foregoing,

IT IS ORDERED that the R & R of Magistrate Judge Steven D. Pepe [Docket # 10] is **ACCEPTED** and **ADOPTED** as this Court's findings and conclusions of law.

IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment [Docket # 9] is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment [Docket # 8] is **DENIED**.

S/Denise Page Hood
Denise Page Hood
United States District Judge

Dated: June 6, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on June 6, 2008, by electronic and/or ordinary mail.

S/William F. Lewis
Case Manager